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AND UNFAIR COMPETITION LAW  
AND RELATED LITIGATION

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EDWARD B. EVANS 1936-1971

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TECHNICAL ADVISORS  
HENRY M. LABODA, Ph.D.  
LARRY D. MOORE, B.S.E.E.

TO: The Honorable Commissioner  
Attention: George R. Koch  
Art Unit 1734

FROM: David H. Brinkman

Fax No.: (703) 872-9306

Phone: (513) 241-2324

Date: March 29, 2004

Fax: (513) 421-7269

Pages (including cover page): 4

Re: U.S. Serial No. 09/821,618 FLOATING HEAD LIQUID DISPENSER WITH  
DISPENSING HEAD SENSOR  
Attorney Docket No. NOR-979

ATTACHMENTS/COMMENTS: OFFICIAL

Please deliver to George R. Koch  
Request for Reconsideration (3 pages)

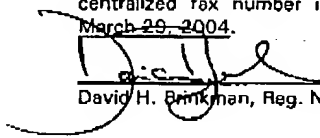
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I hereby certify that this correspondence is being deposited via facsimile to The Honorable Commissioner in the United States Patent and Trademark Office, Attention: George R. Koch whose telephone number is (571) 272-1230 and centralized fax number is (703) 872-9306 on March 29, 2004.

  
David H. Brinkman, Reg. No. 40,532

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Michael J. Romine  
Serial No.: 09/821,618  
Filed: March 29, 2001  
Confirmation No.: 4107  
Group Art Unit: 1734  
Examiner: Koch, George R.  
Title: **FLOATING HEAD LIQUID DISPENSER WITH DISPENSING HEAD SENSOR**  
Atty Docket: NOR-979

Cincinnati, Ohio 45202

March 29, 2004

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P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR RECONSIDERATION**

Sir:

Applicant respectfully requests reconsideration of the Final Office Action mailed on January 28, 2004 in view of Applicant's prior arguments presented in the Response mailed on November 6, 2003 and the telephonic interviews conducted with Examiner Koch on March 25, 2004 and March 26, 2004. Examiner instructed Applicant to file this Request for Reconsideration during the March 26, 2004 telephonic interview.

As indicated in the Interview Summary dated March 26, 2004, Examiner agrees that Applicant's prior Response mailed on November 6, 2003 overcomes the Section 102(e) rejections of independent claims 1 and 7 over Rutledge et al., U.S. Patent No. 6,391,387 as set forth in the Final Office Action because Rutledge et al., when describing linear and pivotal embodiments of the dispensing gun at Col. 3, refers to the actual embodiments as exemplified in Fig. 15 versus Fig. 19, and not to the interchangeability of pivotal and linear movement in the embodiment of Fig. 19 alone. For this reason, and the reasons set forth in Applicant's prior Response mailed on November 6, 2003 which is fully incorporated herein by reference, Applicant requests that all outstanding rejections be withdrawn and the present application proceed to issuance.

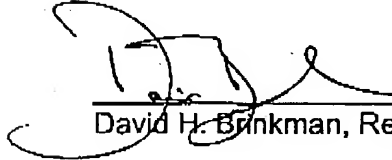
### **CONCLUSION**

In view of the foregoing response including the remarks, this application is submitted to be in complete condition for allowance and early notice to this effect is earnestly solicited. If there is any issue that remains which may be resolved by telephone conference, the Examiner is invited to contact the undersigned in order to resolve the same and expedite the allowance of this application.

Applicant does not believe that this response requires that any fees be submitted, however, if any fees are deemed necessary, these may be charged to Deposit Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.



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David H. Brinkman, Reg. No. 40,532

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